

Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
October 06, 2022

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

INFINITY CAPITAL MANAGEMENT, INC.
dba INFINITY HEALTH CONNECTIONS,

Debtor.

Case No. 21-14486-abl
Chapter 7

Hearing Date: October 3, 2022
Hearing Time: 9:30 a.m.

**ORDER GRANTING JOINT MOTION TO ENFORCE COURT ORDERS AND REQUIRE
PREVA ADVANCED SURGICARE – THE WOODLANDS, LLC TO REMIT PAYMENTS
RELATING TO ACCOUNTS RECEIVABLE**

The *Joint Motion to Enforce Court Orders and Require Preva Advanced Surgicare – The Woodlands LLC to Remit Payments Relating to Accounts Receivable* [ECF No. 241] (the “Joint Motion”) filed jointly by HSelect-Medical Receivables Litigation Finance Fund International SP (“HSelect”) and Tecumseh–Infinity Medical Receivable Fund, LP, (“Tecumseh”) came on for hearing before the Court on October 3, 2022. Appearances at the hearing were noted on the record.

All findings of fact and conclusions of law orally stated by the Court at the Oral Ruling are incorporated herein pursuant to Fed. R. Civ. P. 52, as made applicable to these proceedings via

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1 Fed. R. Bankr. P. 9014(c) and 7052. For the reasons stated by the Court on the record at the
2 hearing, there being no opposition to the Motion, and good cause appearing, IT IS HEREBY
3 ORDERED:

4 1. The Joint Motion is GRANTED;

5 2. Any person or entity, including, but not limited to, Preva Advanced Surgicare –
6 The Woodlands, LLC (“Preva”), is hereby ordered and required to immediately turn over all
7 proceeds collected on and all payments due in connection with all accounts receivable and other
8 rights to payment included in the Portfolio, as defined in the Joint Motion (and as further described
9 with respect to Preva in Exhibit 6 attached thereto), to TPL Claims Management, LLC (“TPL”) at
10 such location as TPL may instruct;

11 3. Any person or entity, including, but not limited to, Preva Advanced Surgicare –
12 The Woodlands, LLC, is hereby ordered and required to immediately turn over all proceeds
13 collected on and all payments due in connection with all accounts receivable and other rights to
14 payment included in the Collateral, as defined in the Joint Motion (and as further described with
15 respect to Preva in Exhibit 5 attached thereto), to HASelect at such location as HASelect may
16 instruct;

17 4. Within 14 days following the entry of this Order and continuing each month
18 thereafter for so long as any portion of the Preva Accounts (as defined in the Joint Motion) remain
19 uncollected, Preva Advanced Surgicare – The Woodlands, LLC shall provide to Tecumseh and
20 HASelect (or their respective designees) an accounting of the current status of all Preva Accounts
21 consistent with Preva’s monthly reporting obligations to Infinity under section 6 of the Purchase
22 and Sale Agreement attached to the Joint Motion as Exhibit 4.

23 5. TPL is hereby authorized and empowered to take commercially reasonable actions,
24 subject to and as allowed under its agreements with HASelect and Tecumseh, to effectuate the
25 servicing and collection of the Portfolio and to hold the proceeds of the Portfolio in escrow pending
26 the final resolution of all claims and counterclaims asserted in this Adversary Proceeding as
27 contemplated under such agreements;
28

6. TPL shall be authorized to endorse and negotiate any check remitted in payment of any of the accounts receivable included in the Portfolio, including any check made payable to the Debtor, Infinity Health Connection, Infinity Health Solutions, LLC, or Buena Vista Rx.; and

7. This Court shall retain jurisdiction to interpret and enforce the provisions of this Order.

IT IS SO ORDERED.

Respectfully submitted by:

SHEA LARSEN

/s/ Bart K. Larsen, Esq.

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LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- ☐ The court has waived the requirement set forth in LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Name	Approve	Reject	No Response
Michael D. Napoli, Esq. <i>Attorney for Tecumseh – Infinity Medical Receivables Fund, L.P.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ I certify that this is a case under chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Bart K. Larsen, Esq.
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